

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 15, 2006

DIVISION TWO

B189047 People (Not for Publication)
v.
Cordova

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
Chavez, J.

B185932 People (Not for Publication)
v.
Henry

The matter is remanded with directions to the trial court to correct the abstract of judgment to reflect that appellant was awarded a total of 370 days of presentence custody credit, consisting of 322 actual days, and 48 days of good time/work credit, rather than 348 actual days and 22 days of conduct credit. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
Chavez, J.

DIVISION TWO (Continued)

B185691 Movie Tech Inc. (Not for Publication)

v.

Consolidated Film Industries

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.

Chavez, J.

B189221 People (Not for Publication)

v.

McNair

The Court:

The judgment is affirmed.

Boren, P.J., Ashmann-Gerst, J., Chavez, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J. and Zaida G. Heraldez, Deputy Clerk.

B185745 People

v.

Gregory W. James

Merits:

Argued by Jonathan Milberg for appellant and by Chung J. Mar, Deputy Attorney General for respondent. Cause submitted.

Court recessed.

DIVISION THREE (Continued)

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J. and Zaida G. Heraldez, Deputy Clerk.

Presiding Justice Klein announces that Justice Aldrich can not be present for argument this afternoon. Unless counsel voice an objection it will be deemed that counsel stipulate that Justice Aldrich may participate in oral argument by listening to the audio recording of these proceedings.

Each of the following:

B186147	People v. Clarence Irwin Reese
B194150	Ana E. v. S.C.L.A. (DCFS)
B190288	People v. George Richard Dawkins
B188422	People v. Jonathan Pugh
B191587	People v. DCFS v. David S., et al
B183587	People v. Bagwell Construction Services v. Joseph B. Wilmeth et al
B191847	DCFS v. Casino S.

Argument waived, cause submitted.

B187931	Jennifer Marshall
	v.
	University of Southern California

Merits:

Argued by Donna Silver for appellant and by Wendy Albers for respondent.
Cause submitted.

B190232	People
	v.
	Steven Williams

Merits:

Argued by Shirley Sun for appellant and by Graciela Martinez, Deputy Public Defender for respondent. Cause submitted.

DIVISION THREE (Continued)

B186714 Matera, et al.
 v.
 McLeod, et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION FOUR

B188856 People (Not for Publication)
 v.
 Spillman

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
 Suzukawa, J.

B186899 People (Not for Publication)
 v.
 Banchon

The three-year enhancement imposed against Banchon under section 12022.7, subdivision (a), is stayed pursuant to section 654. The trial court is ordered to prepare an amended abstract of judgment reflecting this modification. As so modified, the judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
 Suzukawa, J.

DIVISION FIVE

B188015 Robert Nembhard (Not for Publication)

v.

Los Angeles County Metropolitan Transit Authority

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

I concur: Turner, P.J.

I concur: Mosk, J. (opinion)

B187178 People (Not for Publication)

v.

Genard Williams

The cause is remanded to the trial court with directions to hold a new sentencing hearing in which the trial court shall exercise its discretion to impose either consecutive or concurrent sentences as to counts 1 and 2. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.

Mosk, J.

B186361 People (Certified for Partial Publication)

v.

Marlon Brandon

The sentence imposed as to count 22 is stayed pursuant to section 654, subdivision (a). The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.

Mosk, J.

December 15, 2006 (Continued)

DIVISION FIVE (Continued)

B188527 Jon Mays (Certified for Partial Publication)
v.
City of Los Angeles

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
Mosk, J.

B188984 Gary Guseinov (Certified for Publication)
v.
Stan Burns

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

We concur: Rubin, J.
Flier, J.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.